

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
Dublin Division**

DAVID JONATHAN HUBBARD,

Plaintiff,

v.

NAVY FEDERAL CREDIT UNION

Defendant.

Case No. 3:15-cv-99 (DHB/BKE)

DEFENDANT'S MOTION TO DISMISS

Defendant Navy Federal Credit Union ("Navy Federal") hereby moves the Court to dismiss the Complaint in the above-captioned matter in its entirety pursuant to Federal Rules of Civil Procedure 12(b)(6) for the following reasons, which are described more fully in the accompanying memorandum:

1. Plaintiff's Complaint fails to identify a legal claim against Navy Federal and otherwise fails to comply with Rules 8 and 10;
2. To the extent Plaintiff intended to state a claim under the Electronic Funds Transfer Act, he is barred from doing so; and
3. To the extent Plaintiff intended to state a claim under the Fair Credit Billing Act, he is barred from doing so.

WHEREFORE, Defendant Navy Federal respectfully requests that the Complaint be dismissed with prejudice in its entirety.

Dated: January 29, 2016

Respectfully submitted,

/s/
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CERTIFICATE OF SERVICE

I hereby certify that on the 29th day of January, 2016, a true and accurate copy of the foregoing was served by first-class mail to the following address:

David Jonathan Hubbard
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/s/

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